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Bulletin No. 16-28

P-2344C

P-2344 Modifications or Deferments

C. General Modification/Deferments Procedures

1. Determining if a Modification/Deferment is Appropriate

a. Case Manager assesses participant's barriers to work. If those barriers are sufficient to limit work hours or prevent work, a modification or deferment may be granted.

b. Verify need for modification/modification:

i. Needed in the Home

- (1) Consider this modification/deferment if participant has a seriously ill or incapacitated family member in the home, and cannot work because of caring for this individual
- (2) Enter "Completing Needed in Home Paperwork" on FDP with a due date 10 days from when the request is made
- (3) On the WORK panel, enter "01" for the participation code
- (4) Have participant complete forms 210NH and 210CS
- (5) Instruct the participant that a physician treating the ill or incapacitated family member must complete form 210NMR.
- (6) When all forms are complete, case manager attaches the fillable MRT consultation form (600MRT), scans the other documents, and emails their Reach Up Supervisor. The Reach Up Supervisor then reviews the forms.

Reach Up Supervisor emails [AHS – DCF ESD Reach Up
MRT@vermont.gov](mailto:AHS-DCFESDReachUpMRT@vermont.gov).

- (7) Grant or deny: If modification or deferment is granted, set review to date recommended by MRT; if paperwork is not returned by due date on FDP, or if MRT is denied, the participant must meet the work requirement.

ii. Young Child Deferment

- (1) Determine if the participant has a child under the age of 24 months. If not, the participant is not eligible for this deferment.
- (2) If the participant has a child less than 24 months and requests a deferment, go to PERS D HIST, scroll down to WIN History.
- (3) Count all months (including partial months) in codes 30, 31, 45, 46

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C. General Modification/Deferments Procedures (Continued)

- Print pages from WIN history and note how many months have been used as of current date (Example: “*Mary has used 14 months as of 4/17/14*”)
- (4) If total of all months in any combination of above codes is at least 24 months, the participant is not eligible for a deferment
- (5) If the total from (3) above is under 24 months, the participant is eligible for this deferment until whichever of the following two happens first:
 - The youngest child turns 24 months; or
 - The participant has reached the 24-month limit for this deferment
- (6) Complete form 622 (Deferment Request Child Under Two) and have participant sign. Give copy to participant and keep original in case file.

NOTE: Code 31 (13-week deferment) is available only if the 24-month limit for this deferment has been used, or rarely for a PEP household (see rule 2363 E before granting deferment with this code).

iii. Medical Modification/Deferment (see P-2344 B)

iv. Childcare not Available

- (1) If participant states that no childcare is available to them and would like a deferment:
 - a) Participant must complete the “Childcare Questionnaire.”
 - b) Enter “Child Care Search” on FDP as an activity.
 - c) On the WORK panel, enter “01” for the participation code.
 - d) Participant must complete a childcare search and “Childcare Log” for one week, and return the log after the search.
 - e) Meet with participant again after the childcare search to discuss log.
 - f) Discuss results of log and “Childcare Questionnaire” with Reach Up Supervisor before granting deferment.
 - g) Reasons to defer: if the child care does not meet the criteria in rule 2373.3 for acceptable day care. Reasons not to defer: participant doesn’t like childcare available or wants to stay home with children
- (2) If decision to modify or defer the work requirement is made, set review date on WORK for the amount of time the participant feels he/she needs, but no longer than 60 days.

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C. General Modification/Deferments Procedures (Continued)

v. Transportation Not Available

- (1) If participant expresses that no transportation is available to them and would like a deferment:
 - a) Participant must complete the “Transportation Survey.”
 - b) Enter “Arranging Transportation” on FDP as an activity.
 - c) On the WORK panel, enter “01” for the participation code.
 - d) Participant must work on arranging transportation and keep track of tasks on the “Arranging Transportation Log” for one week, and return the log after the search.
 - e) Meet with participant in one week to discuss log.
 - f) Discuss results of log and “Transportation Survey” with Reach Up Supervisor before granting deferment.
- (2) If decision to modify or defer the work requirement is made, set review date on WORK for the amount of time the participant feels he/she needs, but no longer than 60 days.

vi. No employment or work activity available

- (1) Used in very rare circumstances:
 - No CSP available for hours needed, or all sites in area are full; and
 - No other countable activities are available at this time; and
 - No job search/readiness opportunities available in area (for example, participant is not ready for job search and all employment specialist staff are out)
- (2) Discuss with Reach Up Supervisor before granting deferment.
- (3) Review date should be no greater than 60 days from date of determination

vii. Other Supports Not Available

- (1) Used in very rare circumstances, for example:
 - Case management staff not available to meet need
 - No ESL classes available for non-English speaker
- (2) Discuss with Reach Up Supervisor before granting deferment.

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C. General Modification/Deferments Procedures (Continued)

(3) Review date should be no greater than 60 days from date of determination

viii. Participant at least 20 years old participating in HS Education 25 hours/week

ix. Domestic Violence (See P-2344 A)

c. Choose either a modification or deferment

- i. Modify if the participant is able to complete 10 or more countable hours per week
- ii. Defer if the participant is not able to complete at least 10 countable hours (9 or less) per week

2. Review of Modification/Deferment

- a. At least three weeks before the review date for the modification or deferment, set up an appointment and send appointment letter to discuss next steps.
- b. Follow steps in section (1)(b) (“Verify need for modification/deferment”) to determine if modification or deferment should be continued, or if a deferment should be changed to a modification

3. Non-Compliance while work requirement is modified or deferred

- a. Determine good cause according to rule 2373
- b. If good cause does not exist:
 - a. For participants with less than 58 months of assistance, the case moves to conciliation or sanction.
 - b. For participants who have received 58 months of assistance and are currently in their 59th month, send appointment letter to talk to participant about impending consequences for continued noncompliance (**do not conciliate or sanction**).
 - c. For participants who are in their 60th or more month, close the grant no earlier than the end of the participant’s 60th month.